

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

LOUIS M. LUPO

:

v. : Civil Action No. DKC 14-0475

:

JPMORGAN CHASE BANK, N.A., et al.

:

**ORDER**

Defendant Specialized Loan Servicing, LLC filed a motion to dismiss or, in the alternative, motion to transfer and Plaintiff's motion for leave to file an amended complaint on March 13, 2014. The motion alleges that Plaintiff's complaint arises from events occurring in Texas relating to his real property located in Texas. Plaintiff has moved for leave to file an amended complaint (ECF No. 16) and filed a response in opposition to Defendant Specialized Loan Servicing, LLC's motion to dismiss, asserting that Plaintiff's amended complaint cures "the defects complained of in Defendant's Motion to Dismiss."

In accordance with Fed.R.Civ.P. 15(a)(1), "a party may amend its pleading once as a matter of course within: (a) 21 days after serving it; or (b) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Under Rule 15(a)(1), it is not necessary to move for leave to file an

amended complaint. Instead, an amended complaint may be filed as of right.

Accordingly, it is this 4<sup>th</sup> day of April, 2014, by the United States District Court for the District of Maryland,  
ORDERED that:

1. Plaintiff's motion for leave to amend complaint (ECF No. 16) BE and hereby IS DENIED as moot;
2. The Clerk of Court is DIRECTED to detach Plaintiff's proposed amended complaint from ECF No. 16 and docket it separately;
3. Defendant Specialized Loan Servicing, LLC's motion to dismiss or, in the alternative, motion to transfer (ECF No. 7) is DENIED as moot; and,
4. The clerk is directed to transmit copies of this Order directly to Plaintiff and to counsel for Defendant.

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/s/  
DEBORAH K. CHASANOW  
United States District Judge